

Congress of the United States
Washington, DC 20515

November 19, 2021

Brianna Schletz
Inspector General
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200
Washington, DC 20001

Dear Inspector General Schletz:

We welcome your appointment as the Inspector General at the Election Assistance Commission (EAC) and look forward to working with you to root out waste, fraud, abuse, and mismanagement. For over a year, we have repeatedly raised questions about the lack of oversight of federal grant funds disbursed by the EAC.¹ A recent report by the Government Accountability Office (GAO) validates those concerns.² As such, we remain deeply concerned about your office's efforts to ensure appropriate oversight.

In response to the COVID-19 pandemic, Congress made an additional appropriation in the CARES Act of \$400 million in grant funding to prevent, prepare for, and respond to the pandemic for the 2020 federal election cycle.³ According to GAO, the EAC has only reported on \$326 million of those grant funds, and of those reported, GAO found issues with nearly 20 percent of the reporting.⁴ Further, GAO found the EAC conducted minimal oversight of state reporting resulting in states categorizing similar expenditures differently and creating an additional 60 expenditure categories "making it difficult to determine how grant funds were spent across states."⁵ The failure to accurately track state expenditures of federal grant funds has potentially enabled significant waste, fraud, and abuse by numerous states.

The GAO's report also confirms concerns we previously expressed numerous times to former Inspector General Patricia Layfield regarding the highly questionable and likely unlawful \$35 million contract provided by then-California Secretary of State Alex Padilla to SKD

¹ See Letter from James Comer, Ranking Member, H. Comm. on Oversight & Gov't Reform & Rodney Davis, Ranking Member, H. Comm. on Admin., to Patricia Layfield, EAC OIG, (Oct. 13, 2020).

² GAO-22-104313, *Election Assistance Commission: Assessment of Lessons Learned Could Improve Grants Administration*, Gov't Accountability Office, (Nov. 8, 2021), <https://www.gao.gov/products/gao-22-104313>.

³ Letter from Mia Forgy, Deputy Inspector General, U.S. Election Assistance Commission, to Donald L. Palmer, Chairman, U.S. Election Assistance Commission, (Jul. 26, 2021).

⁴ GAO-22-104313, *Election Assistance Commission: Assessment of Lessons Learned Could Improve Grants Administration*, Gov't Accountability Office, (Nov. 8, 2021), <https://www.gao.gov/products/gao-22-104313>.

⁵ *Id.*

Knickerbocker, Joe Biden's main election campaign advisory firm.⁶ In a February 26, 2021, letter, former Inspector General Layfield stated that the contract between the California Secretary of State and SKD Knickerbocker presented a risk of improper use that required further examination. However, no further examination has been conducted. While the EAC OIG committed to auditing the contract, the audit has been unnecessarily delayed not only by the California Secretary of State's Office but also by the EAC OIG's own recalcitrance, raising questions about apparent efforts to thwart appropriate oversight of the contract.

To that end, please make arrangements to schedule a Member-level briefing no later than December 10, 2021, to explain the work the EAC OIG is doing to investigate waste, fraud, and abuse of federal grant funds and to provide further information about the audit of the SKD Knickerbocker contract.

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074 or Committee on House Administration Republican staff at (202) 225-8281. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X, and the Committee on House Administration, which House Rules charge with broad authority over federal elections, is the oversight committee for the EAC. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
House Committee on Oversight and Reform



Rodney Davis
Ranking Member
House Committee on Administration



Jody Hice
Ranking Member
Subcommittee on Government Operations

cc: Carolyn Maloney, Chairwoman, House Committee on Oversight and Reform

Zoe Lofgren, Chairwoman, House Committee on Administration

Donald Palmer, Chairman, U.S. Election Assistance Commission

Thomas Hicks, Vice Chairman, U.S. Election Assistance Commission

⁶ Lara Korte, California to Spend \$35 Million on Mail Voting Campaign Run by Firm With 'Team Biden' Ties, THE SACRAMENTO BEE, Aug. 27, 2020, available at <https://www.sacbee.com/news/politics-government/capitolalert/article245279195.html>.